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PATENT

IBM/260
Confirmation No. 8620**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Daniel Joseph Buerkle et al. Art Unit: 2672
Serial No.: 10/728,347 Examiner: Daniel J. Chung
Filed: December 4, 2003 Atty. Docket No.: IBM/260
For: IMAGE SCALING EMPLOYING HORIZONTAL PARTITIONING

AMENDMENT AND RESPONSE

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated May 17, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.

08/18/2005 AAD0F01 00000021 233000 10728347
01 FC:1201 400.00 DA

Page 1 of 12
Serial No. 10/728,347
Amendment and Response dated August 17, 2005
Reply to Office Action of May 17, 2005
IBM Docket ROC920030197US1
WH&E IBM/260
K:\ibm\260\Amendment and Response re 5-17-05 OA.wpd

AUG 17 2005

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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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August 17, 2005

FACSIMILE COVER SHEET

To: Examiner Daniel J. Chung
Art Unit 2672
Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 10/728,347
Filed: December 4, 2003
Applicant: Daniel Joseph Buerkle et al.
Art Unit: 2672
Confirmation No.: 8620
Our Ref: IBM/260

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Transmittal containing Certificate of Facsimile
Transmission and Authorization to Charge
Deposit Account 23-3000 in the amount of
\$400.00 for Additional Independent Claims
Fees (2 pages)
Amendment and Response (12 pages)

Pages: 15 (including cover sheet).

**MESSAGE/COMMENTS
OFFICIAL****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (15 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Daniel J. Chung, Art Unit 2672, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on August 17, 2005.

Judith L. Volk
Judith L. Volk

August 17, 2005
Date

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If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

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PATENT

Att'y Docket No. IBM/260/124

Confirmation No. 8620

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Judith L. Volk
Judith L. Volk

August 17, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Joseph Buerkle et al.

Art Unit: 2672

Serial No.: 10/728,347

Examiner: Daniel J. Chung

Filed : December 4, 2003

For : IMAGE SCALING EMPLOYING HORIZONTAL PARTITIONING

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 - ☐ Enclosed is a verified statement to establish Small Entity status
 - ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	23	minus	27	0	\$50	\$0.00
Independent Claims	5	minus	3	2	\$200	\$400.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$400.00

- ☐ No additional fee for claims is required.

Page 1 of 2
Serial No. 10/728,347
Transmittal for Amendment of August 17, 2005
IBM Docket: ROC920030197US1
WH&E IBM/260

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☒ Please charge my Deposit Account No. 23-3000 in the amount of \$400.00.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$ _____

Method of Payment:

Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

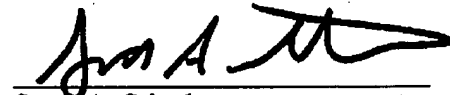
(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.
- OR**
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Scott A. Stinebruner
Reg. No. 38,323

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
Telephone: (513) 241-2324
Facsimile: (513) 241-6234

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 Transmittal containing Certificate of Facsimile Transmission and Authorization to Charge Deposit
 Account 23-3000 in the amount of \$400.00 for Additional Independent Claims Fees (2 pages)
 Amendment and Response (12 pages)